

MR# 331740



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Regulatory Affairs-Polymers
Chestnut Run Plaza
P. O. Box 80713
Wilmington, DE 19880-0713

December 14, 2010

VIA OVERNIGHT DELIVERY

David Schutz
US EPA
Confidential Business Information Center (CBIC)
EPA East Building, Room 6428
1201 Constitution Ave., NW
Washington, DC 20004-3302
Contact Phone Numbers: 202-564-9262 and 202-564-8940

5616

CONTAINS NO
CBI

Dear Mr. Schutz:

SUBJECT: FOIA REQUEST

In response to your request that we provide redaction of correspondence, please find enclosed redacted copies of the requested documents.

If you wish to discuss this further, I may be reached by phone at 302-999-4619.

Sincerely,

Sheena Sinclair

Sheena Sinclair
Regulatory Affairs Consultant

CONTAINS NO CBI



Regulatory Affairs-Polymers
Chestnut Run Plaza
P. O. Box 80713
Wilmington, DE 19880-0713

July 1, 2010

VIA OVERNIGHT DELIVERY

David Schutz
US EPA
Confidential Business Information Center (CBIC)
EPA East Building, Room 6428
1201 Constitution Ave., NW
Washington, DC 20004-3302
Contact Phone Numbers: 202-564-8930 and 202-564-8940

Dear Mr. Schutz:

SUBJECT: RAW MATERIAL SOURCED FROM RECYCLER

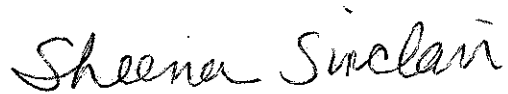
We write to confirm our understanding, from our telephone conversation of June 9, 2010, that DuPont's proposed use of { } as { } raw material complies with the requirements of the Toxic Substances Control Act (TSCA).

As explained during our call, { } from a recycling company would be used as a source of polymeric raw material. The { } provides the primary { } constituent of the { }. However, some recycling firms may provide the reclaimed material without significant purification. These materials will also contain variable quantities of unknown contaminants including, among others, { } and contaminants from use of { } by the consumer. The supplier may subject the reclaim { } to limited purification to increase the { } content but the material may still contain significant amounts (for example, up to { } of impurities including { } dirt and other materials present in the { } received from the recycling company. DuPont melts the material and forms pellets. These pellets are used as raw materials in further processing applications.

The intended constituent of the reclaim { } Based on our discussion, our understanding is that the other constituents, which are not intended, are impurities which are exempt from the premanufacture notice (PMN) requirements of TSCA pursuant to EPA's regulations at 40 CFR 720.30(h)(1). We therefore request EPA's confirmation that that this use of this source of raw material complies with the requirements of TSCA.

We appreciate your attention to this matter. If you wish to discuss this further, I may be reached by phone at 302-999-4619 or via facsimile at 302-999-4731.

Sincerely,

A handwritten signature in cursive script that reads "Sheena Sinclair". The signature is written in dark ink and is positioned above the printed name and title.

Sheena Sinclair
Regulatory Affairs Consultant



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

ML-42266

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SEP 02 2010

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Ms Sheena Sinclair
Regulatory Affairs Consultant
E I du Pont de Nemours & Co.
Regulatory Affairs - Polymers
Chestnut Run Plaza
Box 80713 Wilmington, DE 19880-0713



Re: PC 5616

Dear Ms Sinclair:

You called Dave Schutz, of my staff, on June 8, 2010 to ask him to confirm your view that your company's intended use of reclaimed [REDACTED] material to make new plastic articles complies with the requirements of the Toxic Substances Control Act (TSCA) without submission of a new §5 notice. Du Pont intends to use [REDACTED] as a raw material, and to purchase it from [REDACTED] recycle company. That company's process to prepare the material from used [REDACTED] DuPont will take [REDACTED]

[REDACTED] You noted that impurities will be present in this material, and that du Pont does little to purify it after receiving it from the supplier. In that conversation Mr. Schutz told you that the non-intended materials should appropriately be thought of as impurities, and for which no premanufacture notice under §5 of TSCA is required. He also said he thought the [REDACTED] probably required a PMN.

Since that conversation, you have sent Mr. Schutz [REDACTED] [REDACTED] you identified it as containing no confidential business information. The letter addresses the question of whether the [REDACTED] should be the subject of a §5 notice, and provides images of letters exchanged between du Pont and the Agency [REDACTED]

[REDACTED] does not call for a §5 notice. Please note that the images of the du Pont and Agency letters you

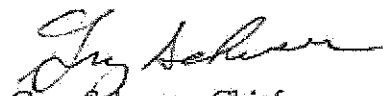
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] The Agency agrees that, if the [REDACTED]
[REDACTED] that identified in the [REDACTED]
letter, and [REDACTED]

[REDACTED] can be considered to be [REDACTED]
[REDACTED] need not be reported to the Agency under §5. If, however, the [REDACTED]
[REDACTED] is a synthesized [REDACTED]
[REDACTED] then it
must be the subject of a §5 notice.

[REDACTED] letter was dated July 1, 2010 and was identified as confidential. In that letter you further discussed the process used to obtain the [REDACTED]. You stated that impurities will be present in amounts as high as 40%, and will include, e.g., dirt, calcium carbonate, polypropylene. You stated that these materials are not intended nor desired, but are present in the [REDACTED] from which [REDACTED] is harvested. Based on the situation you describe, Mr. Schutz was correct that the undesired materials are impurities for which no notice need be filed.

Please contact Mr. Schutz on 202 564 9262 if you have any questions about this letter.

Sincerely,



Greg Schweer, Chief

New Chemicals Management Branch 7405M
Chemical Control Division